ORDINANCE NO. 8

Series 1954.

AN ORDINANCE VACATING THAT PORTION OF ELM STREET BETWEEN BLOCKS ONE (1) AND EIGHT (8) FROM THE EASTERN INTERSECTION BOUNDARY LINE OF SAID ELM STREET AND SOUTH 9th AVENUE TO THE WESTERN INTERSECTION BOUNDARY LINE OF SAID ELM STREET AND SOUTH EIGHTH AVENUE, ALL IN SOUTH ELGIN (SOMETIMES REFERRED TO AS SOUTH ELGIN ADDITION) TO THE CITY OF ELGIN, UNION COUNTY, OREGON, AND DECLARING AN EMERGENCY,

WHEREAS, the Common Council of the city of Elgin has heretofore caused an examination to be made of that portion of Elm Street, between blocks one (1) and eight (8) from the Eastern intersection boundary line of said Elm Street and south 9th Avenue to the western intersection boundary line of said Elm Street and south Eighth Avenue, all in South Elgin (sometimes referred to as South Elgin Addition)to the city of Elgin, Union County, Oregon, and the properties adjacent to and adjoining the same and situated in the immediate vicinity thereof, and said Council has found that the vacation of that portion of Elm Street, more particularly hereinafter described, will not in any way affect the market value of the said adjoining, adjacent and closely situated properties, and that the public interest will not be prejudiced by said vacation, and

WHEREAS, on the second day of June, 1954, the said Council did duly pass and adopt a resolution to initiate proceedings to vacate that portion of Elm Street hereinafter described and thereby declared its intention to make such vacation without petition or consent of any property owners and fixed Wednesday, the 7th day of July, 1954, at the hour of 8:00 o'clock P.M., at the Council chambers in the city hall in Elgin, Union County, Oregon, as the time for the hearing of any and all objections and remonstrances to such vacation, and

WHEREAS, notice of such vacation was duly published in the Elgin Recorder, a newspaper of general circulation printed and published in Elgin, Union County, Oregon, for four consecutive and successive weeks, beginning with the issue of said newspaper dated the 3rd day of June, 1954, and ending with the issue of said newspaper dated the 24th day of June, 1954, due proof of such publication having heretofore been filed with the City Recorder of Elgin, Union County, Oregon, and

WHEREAS, notice of such vacation was duly posted on the 4th day of June, 1954, in two conspicuous public places in the city of Elgin, Union County, Oregon, to-wit:

one (1) at the intersection of South 8th Avenue and Elm Street;

one (1) at the intersection of South 9th Avenue and Elm Street,

due proof of such posting having heretofore been filed with the city recorder, Elgin, Union County, Oregon, and

WHEREAS, at the time and place fixed for the hearing on said vacation, to-wit, at 8:00 o'clock P.M., on Wednesday, July 7th, 1954, at the Council chambers in the City Hall of Elgin, Union

County, Oregon, said hearring was duly held and no objections to such vacation or remonstrances thereto were made in writing and filed with the City Recorder of said city prior to the time of such hearing, or at all, and no one appeared at such hearing and made any objections or remonstrances to such vacation;

NOW, THEREFORE, the City of Elgin ordains as follows:

Section (1) That portion of Elm Street between blocks one (1) and eight (8) from the Eastern intersection boundary line of said Elm Street and South 9th Avenue to the Western intersection boundary line of said Elm Street and South Eighth Avenue, all in South Elgin (sometimes referred to as South Elgin Addition) to the City of Elgin, Union County, Oregon, be and the same is hereby vacated and that part of the plat showing said street as hereinabove described shall henceforth be held for nought and title to said vacation street shall be and remain as by law provided.

Section (2) That the City Recorder of Elgin, Union County, Oregon, is hereby directed to cause a certified copy of this Ordinance, together with a plat showing said street vacated hereby to be recorded in the records of plat vacations in the office of the county clerk of Union County, Oregon, and also cause to be filed a certified copy of this Ordinance with the county assessor and county surveyor of Union County, Oregon.

Section (3) It appearing that the hereinabove described street to be vacated has not for many years last past been open to public travel and that a building has been constructed on said street in reliance upon the vacation of said street and it is therefore necessary for the preservation of the peace and quiet of the City of Elgin that this Ordinance take effect immediately upon its passage and approval, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage by the Council and approval by the Mayor.

PASSED this 7 day of July, 1954, by 4 councilmen voting therefor.

APPROVED this 7 day of July, 1954.

Roy C. Roulet
Mayor

Attested and filed this
7 day of July, 1954.

A P Miller
City Recorder.